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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,149	06/21/2005	Willem Lubbers	PF030020	3540

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EXAMINER
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CHOKSHI, PINKAL R

ART UNIT	PAPER NUMBER
2623	

MAIL DATE	DELIVERY MODE
03/06/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/540,149	Applicant(s) LUBBERS ET AL.	
	Examiner PINKAL CHOKSHI	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1 and 6-9** are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,615,248 B1 to Smith ET al (hereafter referenced as Smith).

Regarding **claim 1**, "method for creating a list of contents in a controlling device connected to a domestic network to which are connected a number of devices, each supplying contents" reads on a method and a system that presents content selection options from a plurality of content sources in home network environment (abstract) disclosed by Smith and as represented in Fig. 2.

As to "method comprises: sending over the network, from the controlling device, a command specifying a filtering criterion" Smith discloses (col.2, lines 48-50, 57-61) that the user searches for data from various contents sources through user device.

As to "creating in each device a local list on receipt of this command, each local list itemizing the contents supplied by the device in which it is created and involved in the filtering criterion specified by the command" Smith discloses

(col.7, line 61-col.8, line 1; col.8, lines 57-59) that based on the user search query, each content source builds and provides the list of related data.

As to "transferring via the network each local list from the device in which it is created to the controlling device" Smith discloses (col.7, line 67-col.8, line 1) that based on user search query, content source provides available program related data on the display device of user terminal as represented in Fig. 4.

As to "assembling in the controlling device the local lists received from the network to form the list of contents" Smith discloses (col.2, lines 61-63) that based on user search query, system displays results of data found from multiple content sources to user device.

Regarding **claim 6**, "method consisting in sending a single command to all the network without specifying recipient devices, each device receiving the command deciding whether to respond to it" Smith discloses (col.9, lines 1-8) that the user is able to send search query request by clicking Related Any option which will search across various content sources on the network for relevant data relating to the search query.

Regarding **claim 7**, "device connected to a domestic network, and designed to supply contents" reads on a method and a system that presents content selection options from a plurality of content sources in home network environment (abstract) disclosed by Smith and as represented in Fig. 2. As to "it

comprises programmed means for creating a local list on receipt of a command specifying a filtering criterion" Smith discloses (col.2, lines 48-50, 57-61) that the user searches for data from various contents sources through user device. As to "this local list itemizing the contents supplied in the device and involved in the filtering criterion specified by the command" Smith discloses (col.7, line 61-col.8, line 1; col.8, lines 57-59) that based on the user search query, each content source builds and provides the list of program related data. As to "for transferring via the network this local list to another device connected to the network" Smith discloses (col.7, line 67-col.8, line 1) that based on user search query, content source provides available program related data on the display device of user terminal as represented in Fig. 4. Smith further discloses (col.2, lines 61-63) that based on user search query, system displays results of data found from multiple content sources to user device.

Regarding **claim 8**, "device connected to a domestic network, and designed to display a list of contents" reads on a method and a system that presents content selection options from a plurality of content sources in home network environment (abstract) disclosed by Smith and as represented in Fig. 2. As to "it comprises programmed means for sending over the network a command specifying a filtering criterion" Smith discloses (col.2, lines 48-50, 57-61) that the user searches for data from various contents sources through user device. As to "for transferring via the network a local list from another device connected to the

network” Smith discloses (col.7, line 67-col.8, line 1) that based on user search query, content source provides available program related data on the display device of user terminal as represented in Fig. 4. As to “this local list having been created in response to the command” Smith discloses (col.7, line 61-col.8, line 1; col.8, lines 57-59) that based on the user search query, each content source builds and provides the list of program related data. Smith further discloses (col.2, lines 61-63) that based on user search query, system displays results of data found from multiple content sources to user device.

Regarding **claim 9**, “device connected to a domestic network, designed to supply contents and display a list of contents” reads on a method and a system that presents content selection options from a plurality of content sources in home network environment (abstract) disclosed by Smith and as represented in Fig. 2. As to “it comprises programmed means for creating a local list on receipt of a command specifying a filtering criterion” Smith discloses (col.2, lines 48-50, 57-61) that the user searches for data from various contents sources through user device. As to “this local list itemizing the contents supplied in the device and involved in the filtering criterion specified by the command” Smith discloses (col.7, line 61-col.8, line 1; col.8, lines 57-59) that based on the user search query, each content source builds and provides the list of program related data. As to “for transferring via the network this local list to another device connected to the network” Smith discloses (col.7, line 67-col.8, line 1) that based on user

search query, content source provides available program related data on the display device of user terminal as represented in Fig. 4. As to "programmed means for sending over the network a command specifying a filtering criterion, and for transferring via the network a local list from another device connected to the network" Smith discloses (col.7, line 61-col.8, line 1; col.8, lines 57-59) that based on the user search query, each content source builds and provides the list of program related data. Smith further discloses (col.2, lines 61-63) that based on user search query, system displays results of data found from multiple content sources to user device.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 2-5** are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,615,248 B1 to Smith ET al in view of US Patent 6,931,593 B1 to Grooters ET al (hereafter referenced as Grooters).

Regarding **claim 2**, "method wherein, a notification is sent from that device to the controlling device, and in which each local list is transferred on receipt of a transfer request sent by the controlling device" Smith discloses (col.3,

lines 37-43) that the user device receives the content information from a plurality of content sources based on the user generated search query.

Smith meets all the limitations of the claim except "creation of a local list in a device." However, Grooters discloses (col.6, lines 43-45; col.7, lines 63-65) that in a local network, list of channels are created for a specific device.

Therefore, it would have been obvious for one of ordinary skills in the art at the time of invention to create program list in a device before sending it to user device as taught by Grooters so a user could gain access to information regarding the various sources of media available on the user's home network (col.1, lines 42-44).

Regarding **claim 3**, "method wherein the controlling device sends transfer requests to each connected device following a specific action on the part of the user" Smith discloses (col.7, line 57-col.8, line 1) that based on the user's search query action from user device, all the contents sources receives the search query request and each one provides the list of related data to user device.

Regarding **claim 4**, "method wherein each transfer request is sent from the controlling device on receipt of the corresponding notification" Smith discloses (col.7, line 57-col.8, line 1) that based on the user's search query action, user device receives the list of program related data from all the contents sources.



Regarding **claim 5**, "method consisting in creating the list of contents in the controlling device by assembling the local lists dynamically as they are received" Smith discloses (col.2, lines 61-63) that based on user search query, system displays results of data found from multiple content sources to user device.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

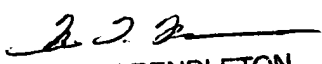
- US Patent 5,737,029 to Ohkura et al discloses a reception controller to choose a program from many content sources.
- US Patent 5,450,079 to Dunaway et al discloses a hand held remote control device for selecting programs from a plurality of multimedia processing units.
- US Patent 6,509,908 B1 to Croy et al discloses a hand held device with the personal navigator system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PINKAL CHOKSHI whose telephone number is (571) 270-3317. The examiner can normally be reached on Monday-Friday 8 - 5 pm (Alt. Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PRC/

  
**BRIAN PENDLETON**  
**SUPERVISORY PATENT EXAMINER**